

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

ANDREW J. SMITH, *pro se*,
Plaintiff

v.

PETER F. NERONHA; and, **GINA RAIMONDO**,
Defendants

C.A. No. 1:19-cv-00029-JJM-LDA

MOTION TO DISMISS

NOW COME Defendants Rhode Island Attorney General Peter F. Neronha and Governor Gina Raimondo ("Defendants") and hereby move to dismiss the Complaint, ECF 1, of Andrew J. Smith ("Smith" or "Plaintiff") in the above-captioned civil action, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. Defendants pray that this Honorable Court grant the instant Motion and dismiss all claims against Defendants with prejudice.

A Memorandum of Law is attached hereto in support of Defendants' Motion.

Respectfully Submitted,

Defendants,
PETER F. NERONHA, in his individual and
official capacities; and GINA RAIMONDO in her
official capacity only
By their attorney,

PETER F. NERONHA
ATTORNEY GENERAL

/s/ Justin J. Sullivan

Justin J. Sullivan, Esq. (#9770)
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CERTIFICATE OF SERVICE

I hereby certify that on Friday, March 15, 2019 I filed the within document via the ECF filing system and that a copy is available for viewing and downloading. I further certify that on Friday, March 15, 2019 I mailed a true and accurate copy of the within document via U.S. First Class mail, postage prepaid, to the following:

Andrew J. Smith, pro se (ID#152162)
Medium Security BR-5B
P.O. Box 8274
Cranston, RI 02920

/s/ Taylor O'Brien